

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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| IN RE: VALSARTAN, LOSARTAN, AND IRBESARTAN PRODUCTS LIABILITY LITIGATION | MDL No. 2875 |
| THIS DOCUMENT RELATES TO ALL CASES | HON. ROBERT B. KUGLER CIVIL NO. 19-2875 (RBK) |

**CERTIFICATION OF DANIEL NIGH IN OPPOSITION TO DEFENDANTS' DAUBERT
MOTION TO PRECLUDE OPINIONS OF PLAINTIFFS' EXPERT DAVID MADIGAN,
PH.D.**

Daniel Nigh, hereby certifies as follows:

1. I am an attorney at law within the State of Florida and an associate with the law firm of Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien, Barr & Mougey, P.A., and serves as Court-appointed Plaintiffs' Co-Lead Counsel. I am fully familiar with the facts and circumstances of these actions. I make this Certification in opposition to Defendants' motion to preclude opinions of the testimony of David Madigan, Ph.D.
2. Attached hereto as **Exhibit A** is a true and accurate copy of is a true and accurate copy of the August 5, 2021 Deposition Transcript of David Madigan, Ph.D.
3. Attached hereto as **Exhibit B** is a true and accurate copy of is a true and accurate copy of David Madigan's July 7, 2021 Expert Report.
4. Attached hereto as **Exhibit C** is a true and accurate copy of *Anderson v. Saberhagen Holdings, Inc.* Civ Action No. 10-cv-61118, 2011 WL 605801 (E.D. Pa. Feb. 16, 2011).

5. Attached hereto as **Exhibit D** is a true and accurate copy of *Berman v. Mobil Shipping & Transportation Co.*, No. 14 CIV. 10025 (GBD), 2019 WL 1510941.
6. Attached hereto as **Exhibit E** is a true and accurate copy of *Coffin v. AMETEK, Inc.*, No. 2:18-CV-472-NT, 2020 WL 5552113.
7. Attached hereto as **Exhibit F** is a true and accurate copy of *Gorton v. Air & Liquid Sys. Corp.*, No. CV 1:17-1110, 2020 WL 4193649 (M.D. Pa. July 21, 2020).
8. Attached hereto as **Exhibit G** is a true and accurate copy of *Hoffeditz v. AM Gen., LLC*, No. CV 09-0257, 2017 WL 3332263 (D.N.J. Aug. 4, 2017).
9. Attached hereto as **Exhibit H** is a true and accurate copy of *I.B.E.W. Local Union 380 Pension Fund v. Buck Consultants*, No. 03–4932, 2008 WL 2265269, (E.D.Pa. June 3, 2008).
10. Attached hereto as **Exhibit I** is a true and accurate copy of *In re Accutane Litigation*, No. 271(MCL), 2015 WL 753674 (N.J.Super.L. Feb. 20, 2015).
11. Attached hereto as **Exhibit J** is a true and accurate copy of *Rabovsky v. Air & Liquid Systems Corp.*, Civ. Action No. 10-cv-03202, 2012 WL 252919 (E.D. Pa. Jan. 25, 2012).
12. Attached hereto as **Exhibit K** is a true and accurate copy of *In re Vioxx Prod. Liab. Litig.*, No. MDL 1657, 2016 WL 8711273 (E.D. La. Sept. 16, 2016).
13. Attached hereto as **Exhibit L** is a true and accurate copy of Song, et al. (2015) Dietary Nitrates, Nitrites, and Nitrosamines Intake and the Risk of Gastric Cancer.
14. Attached hereto as **Exhibit M** is a true and accurate copy of Gomm, W, et al. (2021) N-Nitrosodimethylamine-Contaminated...

15. Attached hereto as **Exhibit N** is a true and accurate Cui, J, et al. (2016) Relationship between N-nitrosodimethylamine and risk of digestive tract cancers- a meta analysis based on cohort studies...
16. Attached hereto as **Exhibit O** is a true and accurate copy of Pottegard, A, et al. (2018) Use of N-nitrosodimethylamine (NDMA) contaminated valsartan products and risk of cancer.
17. Attached hereto as **Exhibit P** is a true and accurate copy of Snodin, DJ, et al. (2019) Short commentary on NDMA (N-nitrosodimethylamine) contamination of valsartan products.
18. Attached hereto as **Exhibit Q** is a true and accurate copy of Zheng, et al. (2019) Dietary N-nitroso compounds and risk of pancreatic cancer - results from a large case-control study.
19. Attached hereto as **Exhibit R** is a true and accurate copy of Defense's Motion to Exclude Dr. Madigan.

**Levin, Papantonio, Rafferty, Proctor, Buchanan, O'Brien,
Barr & Mougey, P.A.**
Attorneys for Plaintiffs

By: /s/ Daniel Nigh

Dated: December 1, 2021

CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2021, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notifications of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Madeline Pendley

Madeline Pendley